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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

THOMAS RICHARD OLSEN,

Plaintiff,

vs.

CAROLYN COLVIN,

Acting Commissioner of Social Security,¹

Defendant.

Civil No. 1:24-cv-01415-SKO

**STIPULATION AND UNOPPOSED
MOTION FOR EXTENSION OF TIME
TO FILE THE ELECTRONIC
CERTIFIED ADMINISTRATIVE
RECORD AS THE ANSWER TO
PLAINTIFF'S COMPLAINT; ORDER**

Pending the Court's approval, the parties stipulate through their respective counsel that Defendant, the Commissioner of Social Security (the "Commissioner"), shall have a thirty-day extension of time to respond to Plaintiff's Complaint in this case from January 21, 2025, up to and

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 including February 20, 2025. In support of this request, the Commissioner respectfully states as
2 follows:

- 3 1. Defendant's response to Plaintiff's Complaint is due to be filed by January 21, 2025.
4 Defendant has not previously requested an extension of this deadline.
- 5 2. In accordance with the Federal Rules of Civil Procedures, recently amended to add
6 Supplemental Rules for Social Security review cases under 42 U.S.C. § 405(g), the
7 Commissioner files a certified administrative record (CAR) as the Answer to a
8 Complaint for review.
- 9 3. Counsel for the Commissioner has been informed by the client agency, which is the
10 Social Security Administration, Office of Appellate Operations, that the CAR is not
12 fully prepared in this matter. The client agency therefore needs more time to prepare
13 the CAR for the Court's review.
- 14 4. For this reason, Defendant requests an extension to February 20, 2025 (30 days), to
15 file an Answer or other response in this matter.
- 16 5. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that
17 he has no objection to this extension request.
- 18 6. This request is made in good faith and is not intended to delay the proceedings in this
19 matter.
- 20 7. I am attempting to preserve limited judicial resources and have applied the most rapid
21 response under the circumstances.

22 WHEREFORE, Defendant requests until February 20, 2025, to respond to Plaintiff's
23 Complaint.

24 Respectfully submitted,

25 DATE: January 21, 2025

Law Offices of Francesco Benavides

26 /s/ Francesco Paulo Benavides*

FRANCESCO PAULO BENAVIDES

Attorney for Plaintiff

(*as authorized via email on January 17, 2025)

28 MICHELE BECKWITH

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MATHEW W. PILE
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DATE: January 21, 2025

By s/ Justin L. Martin
JUSTIN L. MARTIN
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Pursuant to parties' foregoing stipulation and unopposed motion (Doc. 10), and for good cause shown (Fed. R. Civ. P. 16(b)(4)),

IT IS HEREBY ORDERED that Defendant shall have up to and including to February 20, 2025, to serve an answer on Plaintiff. All other dates in the Scheduling Order (Doc. 5) are enlarged accordingly.

IT IS SO ORDERED.

Dated: January 21, 2025

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE